

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

NAOMI GONZALES,

Plaintiff,

v.

AGWAY ENERGY SERVICES, LLC,

Defendant.

No. 5:18-cv-00235 (MAD/ATB)

ORDER

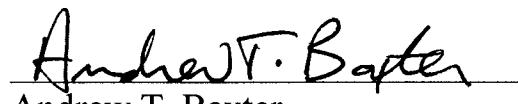
WHEREAS Plaintiff Naomi Gonzales brings this action on her own behalf and additionally, pursuant to Rules 23(b)(2) and 23(b)(3) of the Federal Rules of Civil Procedure, on behalf of a class of all of Defendant Agway Energy Services, LLC's New York and Pennsylvania customers charged a variable rate for residential electricity services by Defendant from November 2011 to the present (ECF No. 1, ¶ 42); and

WHEREAS Defendant formally defers its anticipated motion to transfer venue with respect to putative class members residing in Pennsylvania to the class certification stage of this litigation (ECF No. 102);

THE COURT HEREBY ORDERS as follows:

The stay of discovery relating to putative class members residing in Pennsylvania entered by this Court on June 7, 2018 is **LIFTED**.

IT IS SO ORDERED:



Andrew T. Baxter
U.S. Magistrate Judge

Dated: April 8, 2019
Syracuse, NY